

TWENTY-EIGHTH DAY

Friday, March 11, 2011

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2011, convened at 12:05 o'clock p.m., with Vice Speaker Manahan presiding, after which the Roll was called showing all Members present with the exception of Representatives Coffman, Har, Herkes, Nishimoto and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Seventh Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 183 and 1104) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 183, dated February 8, 2011, transmitting the Annual Internal Audit Report and the Maui Regional Board Internal Audit Report, prepared by the Hawaii Health Systems Corporation pursuant to Section 323F-22(d), HRS.

Gov. Msg. No. 1104, informing the House that on March 10, 2011, the following bill was signed into law:

H.B. No. 827, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION." (ACT 004)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 374 and 375) were received and announced by the Clerk:

Sen. Com. No. 374, transmitting S.B. No. 671, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," which passed Third Reading in the Senate on March 10, 2011.

Sen. Com. No. 375, transmitting S.B. No. 893, SD 3, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION ACCESS," which passed Third Reading in the Senate on March 10, 2011.

Representative Evans moved that the following Senate Bills pass First Reading by title, seconded by Representative Pine:

S.B. No. 671, SD 2
S.B. No. 893, SD 3

At 12:08 o'clock p.m. Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:09 o'clock p.m.

The motion was put to vote by the Chair and carried, and the noted Senate Bills passed First Reading by title and further action was deferred. (Representatives Coffman, Har, Herkes, Nishimoto and Thielen were excused.)

DEPARTMENTAL COMMUNICATIONS

The following departmental communication (Dept. Com. No. 67) was received by the Clerk and was placed on file:

Dept. Com. No. 67, dated March 7, 2011, from Kalbert K. Young, Director of Finance, Department of Budget and Finance, transmitting the

FYs 08-14 Non-General Fund Information Report for the Department of Human Services.

INTRODUCTIONS

The following introduction was made to the Members of the House:

Representative B. Oshiro introduced his University of Hawaii intern who does a mean AC/DC karaoke, Mr. Geoffrey Pullen of Portland Oregon; and Miss Logan Rabago, daughter of Representative Oshiro's office manager, Ms. Reena Rabago.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 946), recommending that H.R. No. 47, be referred jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 47, entitled: "HOUSE RESOLUTION REQUESTING THE STATE BUILDING CODE COUNCIL TO ADOPT THE REQUIREMENT THAT AUTOMATIC FIRE SPRINKLERS BE INSTALLED IN NEW ONE- AND TWO-FAMILY DWELLINGS," was referred jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, with Representatives Coffman, Har, Herkes, Nishimoto and Thielen being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 947), recommending that H.C.R. No. 54, be referred jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE BUILDING CODE COUNCIL TO ADOPT THE REQUIREMENT THAT AUTOMATIC FIRE SPRINKLERS BE INSTALLED IN NEW ONE- AND TWO-FAMILY DWELLINGS," was referred jointly to the Committee on Housing and the Committee on Water, Land, & Ocean Resources, with Representatives Coffman, Har, Herkes, Nishimoto and Thielen being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 948) recommending that H.R. No. 49, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 49, HD 1, entitled: "HOUSE RESOLUTION RECOGNIZING THE FOURTH TUESDAY IN APRIL AS EQUAL PAY DAY IN HAWAII, AND URGING CONGRESS TO SUPPORT LEGISLATION TO PROVIDE MORE EFFECTIVE REMEDIES FOR VICTIMS OF WAGE DISCRIMINATION BASED ON GENDER," was adopted, with Representatives Coffman, Har, Herkes, Nishimoto and Thielen being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 949) recommending that H.C.R. No. 56, as amended in HD 1, be adopted.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 56, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE FOURTH TUESDAY IN APRIL AS EQUAL PAY

DAY IN HAWAII, AND URGING CONGRESS TO SUPPORT LEGISLATION TO PROVIDE MORE EFFECTIVE REMEDIES FOR VICTIMS OF WAGE DISCRIMINATION BASED ON GENDER," was adopted, with Representatives Coffman, Har, Herkes, Nishimoto and Thielen being excused.

Representatives Aquino and Souki, for the Committee on Public Safety & Military Affairs and the Committee on Transportation presented a report (Stand. Com. Rep. No. 950) recommending that S.B. No. 170, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 170, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SHIPPING CONTAINER INSPECTIONS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Coffman, Har, Herkes, Nishimoto and Thielen being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 96 and 97) and concurrent resolutions (H.C.R. Nos. 105 and 106) were referred to Printing and further action was deferred:

H.R. No. 96, entitled: "HOUSE RESOLUTION URGING THE MAYOR AND CITY COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO DESIGNATE AALA PARK AS A HOMELESS SAFE ZONE," was jointly offered by Representatives Cabanilla, Hanohano, Manahan, Evans, Ichiyama, Keith-Agaran, Souki and Wooley.

H.R. No. 97, entitled: "HOUSE RESOLUTION URGING THE MAYOR AND CITY COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO UPGRADE EXISTING SEWER SYSTEMS IN THE URBAN CORE BEFORE BUILDING NEW SYSTEMS," was jointly offered by Representatives Cabanilla, Hanohano, Mizuno, Awana, Evans, Hashem, Johanson and McKelvey.

H.C.R. No. 105, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE MAYOR AND CITY COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO DESIGNATE AALA PARK AS A HOMELESS SAFE ZONE," was jointly offered by Representatives Cabanilla, Hanohano, Manahan, Evans, Ichiyama, Keith-Agaran, McKelvey, Souki and Wooley.

H.C.R. No. 106, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE MAYOR AND CITY COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO UPGRADE EXISTING SEWER SYSTEMS IN THE URBAN CORE BEFORE BUILDING NEW SYSTEMS," was jointly offered by Representatives Cabanilla, Hanohano, Mizuno, Awana, Evans, Hashem, Johanson and McKelvey.

ANNOUNCEMENTS

Representative Hanohano: "Just an announcement that next week Monday we'll be celebrating the 5th Annual Legislative Hawaiian Caucus Day. If we can have all the Hawaiian Caucus members meet before the Floor session at 11:30 for picture taking. It'll be Hawaiian attire and also bring your coats for the men, and for the women if they want to wear muumuus or aloha print blouse, and also their jackets. Thank you."

Representative McKelvey: "Thank you, Mr. Speaker, at the appropriate time I would like to ask for a moment of silence for the victims of the 3/11 earthquake and tsunami. Thank you, very much."

Representative Awana: "Thank you, Mr. Speaker. To piggyback on what the Representative from Lahaina mentioned in asking for a moment of silence. I'd just like to just make a few comments.

"As the Chair of International Affairs, I'd like to join in the prior request for a moment of silence for the people of Honshu, Japan, where the 8.9 magnitude earthquake took place, decimating the lives and memories of too many to count. This disaster affected not only those in Japan, but many other countries throughout the Pacific Rim, including our State of Hawaii. And for those reasons, I humbly ask for a moment of silence at the appropriate time. Thank you."

Representative Ward: "Mr. Speaker, in keeping with that same spirit, I'd like to thank Speaker Say, the Majority Caucus, the Minority Caucus and this whole Body for staying the course, and opening our daily sessions with prayer. Thank God, no loss of life took place during last night's tsunami. And yes some would say, 'Well, we dodged a bullet.' But some of us would say and contend, and be thankful that there's an invisible hand that pushes us out of the way of the bullet.

"So thank you for keeping the course, and for doing what otherwise we could not have done ourselves. Last night has worked out very well."

Representative Brower: "Yes, Mr. Speaker. I'd just like to thank you and the Members. My grandparent's family members are from Sendai, and having visited Sendai a few years ago it is a very beautiful part of Japan. Thank you."

At this time, the Members of the House of Representatives stood for a moment of silence to remember the victims of the March 11, 2011 earthquake and tsunami generated off the coast of Honshu, Japan.

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

<u>S.B. Nos.</u>	<u>Re-referred to:</u>
367, SD3	Jointly to the Committee on Energy & Environmental Protection and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
975, SD1	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
1164, SD2	Jointly to the Committee on Economic Revitalization & Business and the Committee on Energy & Environmental Protection, then to the Committee on Finance

ADJOURNMENT

At 12:15 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, March 14, 2011. (Representatives Coffman, Har, Herkes, Nishimoto and Thielen were excused.)